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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13  
14 v.  
15

16 MARCUS JAMES TATUM,  
17 Defendant.  
18  
19

Case No: 1:20-cr-00255-DAD-BAM

**STIPULATION BETWEEN THE UNITED  
STATES AND DEFENDANT REGARDING  
PRODUCTION OF PROTECTED  
INFORMATION; PROTECTIVE ORDER RE:  
SAME**

Ctrm: 8

Hon. Barbara A. McAuliffe

20 WHEREAS, the discovery in this case contains (1) private personal information regarding third  
21 parties (adults and minors), including but not limited to their names, physical descriptions, social media  
22 identifiers, telephone numbers and/or residential addresses, as well as (2) confidential information  
23 regarding or otherwise contained within certain websites, both domestic and foreign ("Protected  
24 Information"); and

25 WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the  
26 unauthorized disclosure or dissemination of this information to anyone not a party to the court  
27 proceedings in this matter;  
28

1 The parties agree that entry of a stipulated protective order is therefore appropriate.

2 THEREFORE, defendant MARCUS JAMES TATUM, by and through his counsel of record,  
3 Monica Bermudez, Esq. (“Defense Counsel”), and the United States of America, by and through  
4 Assistant United States Attorney Brian W. Enos, hereby agree and stipulate as follows:

5 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of  
6 Criminal Procedure, as well as its general supervisory authority.

7 2. This Order pertains to all discovery provided to or made available to Defense Counsel as  
8 part of discovery in this case (hereafter, collectively known as “the discovery”).

9 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any  
10 documents or other information that contain Protected Information with anyone other than Defense  
11 Counsel’s attorneys, designated defense investigators, designated defense experts, and support staff.  
12 Defense Counsel may permit the defendant to view unredacted documents or other information in the  
13 presence of his attorneys, defense investigators, and/or support staff. The parties agree that Defense  
14 Counsel, defense investigators, and support staff shall not allow the defendant to copy Protected  
15 Information contained in the discovery. The parties agree that Defense Counsel, defense investigators,  
16 and support staff may provide the defendant with copies of documents or other information, if any, from  
17 which Protected Information has first been redacted.

18 4. The discovery and information therein may be used only in connection with the litigation  
19 of this case and for no other purpose. The discovery is now and will forever remain the property of the  
20 United States of America (“Government”). Defense Counsel will return the discovery to the Government  
21 or alternatively keep it archived within its sole possession at the conclusion of the case.

22 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to  
23 ensure that it is not disclosed to third persons in violation of this agreement.

24 6. Defense Counsel shall be responsible for advising the Defendant, employees, and other  
25 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

26 7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to  
27 return the discovery to the government, or, at the request of government counsel, to forward it to new  
28

1 counsel after new counsel has confirmed to government counsel in writing his or her agreement to the  
2 terms of this Order.

3 IT IS SO STIPULATED.

4 (As auth. 5/28/21)

5 Dated: May 28, 2021

By: /s/ Monica Bermudez  
Monica Bermudez, Esq.  
Attorney for Defendant  
Marcus James Tatum

8 Dated: May 28, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

10 By: /s/ Brian W. Enos  
Brian W. Enos  
Assistant U.S. Attorney

13 IT IS SO ORDERED.

14 Dated: May 28, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE